

**MIDDLE PENINSULA-NORTHERN NECK  
LOCAL HUMAN RIGHTS COMMITTEE  
MINUTES OF JULY 25, 2011**

Chairman Carl Gerster called the regular meeting of the Middle Peninsula-Northern Neck Local Human Rights Committee to order at 12:30 p.m. on July 25, 2011 at the Middle Peninsula Northern Neck Community Services Board Community Options office, located in Saluda, Virginia. Board members in attendance were: Carl Gerster, Judith Link, and Tara Brent. Agency representatives included: Joy Henderson – Puller Center, Athena Neblitt – Bridges, David Banks and Keesha Borden – Brothers' Keeper, Mary Hayden and Kristie McDowell – Heart Havens, Chuck Walsh and Joanne Brown – Middle Peninsula Northern Neck Community Services Board, Stephanie Nesbitt, Sabrina Figueroa, and Kim Turner – SOLA, Richard Briggs and Stacy Hardcastle – The Brambles, Rebecca Shifflett – Wall Residences, Anne Allen, Gail Giese and Bethany Flahive – New Day Counseling, and Towanda Hickman – Empowering Youth. Gail Slaughter, LHRC Administrative Support, Reginald Daye, Regional Human Rights Advocate, and Hillary Zaneveld, Human Rights Advocate, were also in attendance.

**Executive Session**

On the motion of Ms. Link, the LHRC voted to go into executive session per VA Code Section 2.2 – 3711-A for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of interviewing a Committee candidate and discussion of the candidate. Mr. Gerster seconded the motion which passed unanimously.

Ms. Link moved the Committee return to public session. Ms. Brent seconded the motion which passed unanimously. Each member of the Committee certified that to the best of each members knowledge, only private business matters lawfully exempted from statutory opening meeting requirements and only private business matters identified in the motion to convene the executive session were discussed in executive session, namely the interview of a Committee candidate and discussion of the candidate.

**Appointment of Candidate**

Ms. Link moved recommending to the State Human Rights Committee that Dr. Bill McConahey be appointed to the Middle Peninsula Northern Neck Local Human Rights Committee. Ms. Brent seconded the motion which passed unanimously.

**Introduction of New Committee Member**

Mr. Gerster introduced Ms. Tara Brent, the newest member of the MP-NN LHRC. Ms. Brent noted that she had a lot of experience with volunteer organizations.

**Open Forum**

There were no items discussed in the open forum.

### **Approval of Minutes**

Ms. Link moved that the minutes from the April 25, 2011 meeting be approved. Ms. Brent seconded the motion which passed unanimously.

Ms. Link moved that the minutes from the May 12, 2011 called meeting be approved. Ms. Brent seconded the motion which passed unanimously.

### **Program Presentation**

Mr. Walsh explained that Middlesex County owned the Puller Building. In the past, this building housed Day Support Services. COPE crisis line services were also provided out of this building. Currently, Community Options Administration and Case Management are located in this building. Approximately three years ago, this division of the CSB changed its name from Mental Retardation Services to Community Options. Community Options operates eight group homes. Two new homes, located in King William County, will be opening soon. Mr. Walsh noted that the MPNN CSB is also the management agent for an eight unit apartment complex (Kilmarnock New Horizons).

### **New Business**

Ms. Link moved to place her name in nomination for the office of Secretary. Ms. Brent seconded the motion which passed unanimously.

The following locations were chosen for upcoming LHRC meetings: October 24, 2011 - Empowering Youth for Positive Change, Tappahannock, VA; January 23, 2012 - Heart Havens, Kilmarnock; April 23, 2012 - MP-NN CSB, Discovery II, Warsaw; July 23, 2012 – The Brambles Day Support.

Mr. Gerster reported that the Committee had interviewed a potential candidate to fill the remaining vacancy on the MP-NN LHRC. The Committee recommended to the State LHRC that this individual be appointed to the LHRC.

Ms. Turner reviewed the proposed SOLA policy on Medical Protective Devices and requested approval of the policy. Mr. Daye noted that he had reviewed the original policy submitted by SOLA, which was a policy on restraints, and had recommended the updated policy on Medical Protective Devices. He said that Licensure had asked that this be added to their Behavior Management Policy. Mr. Daye recommended adding to the policy that there needed to be a physician's order for its use, justification, and time limits. Mr. Gerster noted that the letter that was sent with the policy asked for the Committee's "review of compliance of the new policy and procedure". The Committee can not approve compliance. He said that the letter needed to be amended. Ms. Brent recommended approval of the SOLA policy on Medical Protective Devices contingent upon the recommended changes being made to the policy and letter, and the updated information being sent to Ms. Slaughter, who will forward it to the Committee.

Ms. Hardcastle requested affiliation for two new six bedroom homes that are to be built on Brambles property at Bella Terra Rd. A service modification for the two locations has been requested from Ms. Trestrail, Licensing Specialist, and the appropriate paperwork has been submitted to Mr. Daye. Ms. Brent moved approval of the Brambles request, with the caveat that the Committee be kept informed of the progress of the homes. Ms. Link seconded the motion which passed unanimously.

Ms. Henderson explained that The ARC of VA is currently reporting to two Local Human Rights Committees – this LHRC and the Southeastern Alliance LHRC. Southeastern Alliance has allowed the ARC to affiliate with their committee, therefore, they will not be affiliated with the MP-NN LHRC. Ms. Henderson noted that this would be the last meeting of this committee that she would attend.

### **Event Report Statistics**

**Bridges of RGH - Structured Outpatient** - Ms. Neblitt reported that there were no abuse or neglect allegations this quarter. There were no complaints, no human rights issues, no Licensing or Human Rights reviews, no restraints or seclusions, and no deaths or serious injuries. They do not administer medications. The staff to patient ratio for the full staff is 1:3 and for clinical 1:6. One full-time therapist has been out of work due to an accident. The program has utilized PRN therapists to continue programming without disruption.

**Bridges Inpatient** – Ms. Neblitt reported that there were no abuse or neglect allegations, no complaints, no Human Rights issues, no Licensing or Human Rights reviews, no deaths or serious injuries and no medication errors. There was one restraint. The average daily census for April was 7:4, for May 8.13, and for June 6.83. There were 7,838 dosages of medication delivered. The staff to individual ratio was 1:3.

**Heart Havens** – Ms. Hayden reported that due to a computer crash, she was unable to provide a written report today. She said that there had been no medication errors. The staff to individuals served ratio was 1:5 or 2:5. She will send Ms. Slaughter a report to forward to the Committee.

**ARC of the VA Peninsula – Puller Center** – Ms. Henderson reported that there were no allegations of abuse or neglect, no complaints, no Human Rights issues, no seclusions or restraints, and no deaths. There were 187 dosages of medication administered. The staff to individual served ratio in the Day Support Program was 2:16, and in the Production program 2:17. There was a Department of Medical Assistance Services, (DMAS), review of prevocational ID waiver services. One deficiency regarding documentation was found.

**Middle Peninsula Northern Neck Community Services Board** – Mr. Walsh reported that there were eight allegations of abuse or neglect. All were unfounded. Five of the eight were medication errors and three were peer on peer incidents. There was one formal complaint this quarter which was unfounded, and one informal complaint that was

resolved. There were no identified systemic Human Rights issues. There were two serious injuries and three deaths. There were no restraints or seclusions. On June 1, there was a Licensing review of the King William Clinic, Youth and Family Services, Healthy Families, and MH Case Management. On June 21, there was a Licensing review of Mental Health Supports in Warsaw and the Northern Neck Day Center. In the MH/SA division, 1,270 individuals were served. In the CO and RISP divisions, 672 individuals were served. There were 34,771 dosages of medication administered. The staff to individuals served ratio in the CO Day Support Program was 1:1 to 1:7 depending on individuals needs. In the Residential Program the ratio was 1:2 to 1:5, depending on the severity of individuals needs. In the RISP Program the ratio was 1 to 1.

**SOLA, Inc.** - Ms. Turner reported that there were no abuse or neglect allegations, no complaints, no identified systemic Human Rights issues, no Licensing or Human Rights reviews, no deaths or serious injuries, no medication errors, and no restraints or seclusion. SOLA has two locations. One location is currently serving eight individuals. The other location is not serving any individuals. There were approximately 8,520 dosages of medication administered. The staff to individual ratio served was 1:3 and 3:8.

**The Brambles** – Ms. Hardcastle reported that there were three medication errors and one peer on peer incident. There were no complaints, no identified systemic Human Rights issues, no Licensing or Human Rights reviews, no deaths or serious injuries, and no restraints or seclusions. There were 20 individuals served in the Residential Program, and 22 served in the Day Support Program. There were 17,005 dosages of medication administered. The staff to individual served ratio was 1:1 to 1:6.

Mr. Daye noted that peer on peer incidents could not be handled as informal, they are investigated as neglect.

**Wall Residences** – Ms. Shifflett reported that there were no abuse or neglect allegations, no complaints, no identified systemic Human Rights issues, no Licensing or Human Rights reviews, no deaths, no medication errors, and no restraints or seclusions. There were three individuals served. There were 1,687 dosages of medication administered with no errors. The staff to individual served ratio was 1:1.

**Brothers' Keeper** – Mr. Banks reported that Brothers' Keeper was still meeting in the school. It was not necessary to find an additional location for the summer months. The yearly Licensure review was done on July 7<sup>th</sup> and 8<sup>th</sup>. The results of the review were satisfactory. There were no abuse or neglect allegations, no complaints, no identified systemic Human Rights issues, no program changes, no deaths or serious injuries, and no restraints or seclusions. There were no medications administered. The staff to individual served ratio was 3:10.

**New Day Counseling Services** – Ms. Allen reported that there were no abuse or neglect allegations, no complaints, no identified systemic Human Rights issues, no program changes, no deaths or serious injuries, and no restraints. Medications are not

administered in this program. The staff to individual served ratio was 1:1. There was one Licensure review. There were no deficiencies.

**Empowering Youth for Positive Change** – Ms. Hickman reported that Empowering Youth is not licensed at this time. A walk through is scheduled for August 15<sup>th</sup>. There were, therefore, no abuse or neglect allegations, no complaints, no identified systemic Human Rights issues, no deaths or serious injuries, no restraints and no medication errors.

### **Old Business**

All providers were to have had the appropriate person from their agency sign and complete the Cooperative Agreement. It was decided that Ms. Slaughter would keep the original Agreement signed by each provider. She will send Mr. Daye a copy of the last two pages of each agreement. Mr. Daye noted that the agreement must contain the name of each agency liaison authorized to attend LHRC meetings, otherwise the person will not have a standing on the committee. A letter would need to be sent to the Committee adding the new liaison.

Mr. Daye reviewed the new quarterly and annual reporting forms that all providers are to begin using. He will email the forms to Ms. Slaughter, who will send them out to all providers and members. These forms became effective July 1, 2011. (Information for the period of July 1, 2011 – September 30, 2011, and each quarter thereafter, will need to be recorded on the quarterly form.) The first annual reporting form will need to contain information for the period of July 1, 2011 through December 31, 2011. Thereafter, the annual form will need to contain information for the period of January 1<sup>st</sup> through December 31<sup>st</sup>. The annual form is due January 15<sup>th</sup>, and will be reported on at the January LHRC meeting.

### **Executive Session**

On the motion of Ms. Brent, seconded by Ms. Link, the LHRC voted to go into executive session per VA Code Section 2.2-371 (A) for the protection of the privacy of individuals in personal matters not related to public business, namely for the purpose of hearing about a restraint from Bridges Inpatient, three medication errors and one peer on peer incident from Brambles, and five medication errors, three peer on peer incidents, one informal complaint, one formal complaint, two serious injuries, and three deaths from the Middle Peninsula Northern Neck Community Services Board. Ms. Link seconded the motion which passed unanimously.

Ms. Link moved the Committee return to public session. Ms. Brent seconded the motion which passed unanimously. Each member of the Committee certified that to the best of each member's knowledge, only private business matters lawfully exempted from statutory open meeting requirements and only private business matters identified in the motion to convene the executive session were discussed in executive session.

**Adjourn** – There being no further business, Mr. Gerster moved that the meeting be adjourned. Ms. Link seconded the motion which passed unanimously.

Respectfully Submitted

Gail Slaughter

LHRC Administrative Support Liaison